

**GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES
AND SERVICES FROM THE HANDICAPPED**

Minutes
January 21, 2004
Building A; Conference Room B, Institute, WV

Attendance: Lee Dixon, Chair; Linda Maniak, Dennis Miller, Everett Sullivan, Scott Padon, Exec. Secretary; Brenda King, DRS;

Absent: Donna Lipscomb

WVARF Staff: Steve King, Craig Greening, Chris Miller, Ken Kennedy

Visitors Present: LuAnn Summers, DRS, Tim Morris, Gloria Cox, Carl Mayfield, Mark Kessler, Bob McCoy, Jan Smith, and Liz Sampson

Approval of Minutes: A motion was made by Everett Sullivan to approve the minutes from December. The motion was seconded by Linda Maniak. The motion was approved.

Financial Report - Brenda King: Total budget amount remains \$3,108.10. A total of \$756.28 is the amount remaining in travel. This may not be enough to cover travel for the rest of the fiscal year. Money may need to be moved from another line item to cover this. So far \$25.00 has been spent on hospitality.

Report of Chair - Lee Dixon: Nothing to report.

Report of Executive Secretary - Scott Padon: Scott Padon from the Purchasing Division will be taking Karen Byrd's place as Executive Secretary. It was decided that since Karen makes decisions regarding contracts in her position with the Purchasing Division, it would be best to replace her with someone from the Purchasing Division who doesn't take direct action on contracts.

Report of WVARF Executive Director - Steve King: Steve King, Karen Byrd and WVARF staff met with Scott Padon last week and gave him some background and orientation on the Committee. Steve then deferred the presort update to Mark Kessler.

Update on Presort – Mark Kessler, Job Squad: Mark reported on the transition activity in regard to the reassignment of the Presort contract to Job Squad. In the past 12 working days the following changes have been made:

1. 99% of equipment has already been transitioned in Job Squad's name.
2. JSI, Inc. is waiting for a buy out number from WVARF. Once Chris Miller provides that, then they will be finished with the buy out.
3. On January 14, Mark Kessler and the project manager, Rhoda Copen visited all the customers who currently use the Presort Contract to announce the changes in the contract performance and to seek any other services that could be provided. They found there were many things that could be provided to increase pre-sort's business and the customer's satisfaction level.
4. Contract improvements –
 - a. All workers who interact with the public were issued uniforms to provide a more professional image.
 - b. Extensive safety and driving training was provided. Back braces, and steel toed shoes were issued that will bring the business into OSHA compliance.
 - c. A new cargo van was purchased.
 - d. Rebuilt strapping machine which was old and outdated.
 - e. Full computer access with high-speed cable access has been provided. JSI, Inc. is currently working on software equipment for better delivery.
 - f. Working with IS&C for system.
 - g. New business – On January 7th Pre-sort was awarded a \$200,000 contract with Unisys Corporation to handle mail.
 - h. An advertising campaign with Verizon has been started. Hopefully this will be completed by the end of the month.
 - i. Pre-sort will be hosting and open house February 20th. Currently received RSVP from the Mayor of Charleston, all the Charleston Post Masters, and five city council members.

SUPRA Sales Comparison – Craig Greening (See handout): Last December three WVARF staff attended the National SUPRA Conference and brought back a lot of good information that was shared by other State programs from around the country. Craig has put together some data from that meeting to provide some sense of comparison. West Virginia is ranked 5th out of all the states.

Contract Complaints Green Acres Bottled Water – Ken Kennedy (see handout): These complaints were received either verbally or by e-mail.

The handout provides WVARF's response to the complaints and the steps that are being taken to correct the problems.

It is felt there is a gap between producing water and getting it to the sites in a timely manner. More time needs to be spent on a delivery system. One suggestion made by Green Acres is warehousing the bottled water in the Charleston area. Prestera has offered to work with them. There have been meetings with Green Acres and Prestera. Green Acres has stated that if warehouses were used, delivery could be made in a more timely fashion. Ken Kennedy says he would like to see an agreement developed and implemented providing warehousing in the Charleston area by March 1, 2004 and Green Acres should consider placing full-time employees to work in this warehouse. If Prestera and Green Acres do not come up with a solution by March 1st, Ken recommends Nicholas County Workshop take this over. Tim Morris of Prestera noted that he was not aware of a March 1 deadline date and indicated that the original storage site, 603 Morris Street may be a problem due to the proposed Ball Park being built on that property. Prestera has building they are looking at in Dunbar but haven't signed a lease yet because they haven't been given an eviction notice from the Morris Street building. Should the original dates discussed hold through, Prestera hopes to be moved by March 1st. Ken feels there is a separation with Green Acres and the production capabilities and their work with customers. Steve King and Everett Sullivan agreed that the best option would be Prestera and due to the nature of the issue regarding the building at 603 Morris the Committee will work with Prestera. Ken Kennedy also pointed out that Green Acres needs some customer relation training. Ken has already given some delivery assignments to Nicholas County. Tim Morris pointed out that in the past when Nicholas County came to pick up water they had to stay overnight to wait for bottles to be filled. Also when they are given delivery sites it places them in a situation where they need more water before heading back to Nicholas County due to lack of filled bottles being available at pick up time. Ken's recommendation to the committee was if any new contracts come in, Nicholas County or Prestera be used until the problems are corrected. Tim Morris was asked to bring a written plan at the next meeting. Ken then indicated he would like for a plan to be developed and implemented by deadline. The committee discussed an implementation date of April 1st. Next meeting is scheduled for Feb 18th. Tim can come back with a tentative plan. Mark Kessler stated that Job Squad will have building space which contains 4800 square feet and Job Squad won't need the space immediately and it could be used temporarily if necessary. Ken asked how the Committee wanted to react to Green Acres at this point. Everett Sullivan's recommendation was to wait until we see how Green Acres responds to WVARF's recommendations and see how Prestera is able to coordinate a system. Need to work out a system where they are not waiting

on empty bottles to come in to be filled. Tim Morris stated they couldn't get list of deliveries (addresses and number of bottles). Green Acres just says the drivers know where they are going. Not having signed delivery tickets has also been a problem. Ken Kennedy stated that this has been taken care of. There should be several people at each delivery who can sign when water is received. Customer service plan has helped with this.

Non-reoccurring State Use Projects Report – Craig Greening (see handout): Due to the policies mandated by Purchasing non-reoccurring sales are down to \$700. It was anticipated that they would be gone by now but that has not yet happened.

Contract Presentation - New - Craig Greening (see handout): Craig reviewed two new contracts with Workers' Compensation that are in the Martinsburg (Job Squad) & Beckley (Lillian James Learning Center) areas. These are both small projects. LuAnn Summers inquired as to how the CRP assignment was made and Craig indicated that the Beckley area was based on which CRP in that area had the lowest amount of State Use and in the Martinsburg area it was based on who was currently providing Janitorial services in that area. LuAnn inquired about EastRidge providing the janitorial service and Craig indicated that they were only interested in inside contracts at this time.

Contract Presentation- Renewals - Craig Greening (see handout) General Services Division, State Office building, Huntington. This contract is currently being done by Goodwill Industries of KYOWVA. No complaints with current work.

Contract Updates and Previews – Craig Greening (see handout) There was an issue with Rehab Services, Spencer Office contract. The Landlord approached them with a deal that would decrease the janitorial contract by \$500.00 per year, but individual will still keep his job.

Department of Environmental Protection located in Wheeling moved. Tenants made full service lease with landlord. Steve King and Craig Greening met with the Leasing coordinator and discussed issue of full service contracts and State use Law. Leasing coordinator will reissue the directives for Janitorial Services. It was a good meeting with the leasing coordinator and should have positive results.

A motion was made by Dennis Miller to accept contracts. This was seconded by Everett Sullivan. The motion was approved.

WVARF Accounts Receivable - Chris Miller (see handout): Revenue at \$4.6 million for the year. This is below last year. Some of fall off is due to the temporary's contract. We are seeing some rebound regarding this contract due to hard work and diligence of Ken Kennedy. Tax Department usually employs about 30 temps during tax time so this will also increase the amount.

Accounts Receivable - DRS is still operating under a continuing resolution. Chris has heard some money will be freed up, but it hasn't happened yet. Brenda agreed to check with Danny Greene in Fiscal to find out status.

The split with Bureau of Employment Programs and Workers Compensation still causing problems with getting bills paid. WVARF was told they would receive a good portion by last Friday but this has not happened yet.

Chris Miller recommends sending a letter to the cabinet secretary of each agency which is problematic to be sure they are aware of this problem. Brenda King suggested a copy of the letter also be sent to contact person.

Annual Planning - Lee Dixon: Lee feels this should be discussed when full Committee is present. This issue will not be addressed today.

New Procedure Rule Update - Donna Lipscomb: Donna was absent from meeting today.

This Item was added to the agenda prior to the meeting at the request of the committee Chair.

WVARF Executive Committee met yesterday via phone. At that point it was decided they would respectfully request that the Governor's Committee either extend the comment period for procedural rules or do away with the rules. Some members didn't receive their letters until January 2nd which did not allow time to provide their comments. Some members state they didn't receive a letter at all.

The WVARF Executive committee would also like the Governor's Committee to meet with them so they could discuss some of the issues and roles regarding the Executive Committee.

The Executive Committee's understanding is that the request to extend the comment period has to come from Donna, with the agreement of the Governor's Committee. Brenda King reviewed an e-mail from Donna Lipscomb in which she stated that she does not feel anyone was treated unfairly. The regulations regarding filing and comment periods were

followed above and beyond the requirement. Janice Holland, Interim Director at DRS agrees that the 30 day comment period should not be extended and DRS will vote no should a motion for extension be made. DRS has voiced their concern about monies that have been distributed through a memo from Janice Holland, Interim Director. The recent issues, concerns expressed and calls to Ms. Holland could result in a Legislative Audit. Comments to Donna Lipscomb from Marsha Alman were sent by Brenda King to the meeting. State Use Committee members discussed the need to review the comments received. Donna Lipscomb was not required to send letters announcing the proposed procedural rules to the CRPs, but she went above what she had to do. The WVARF Executive Committee would like a 30-day extension on the comment period beginning tomorrow, January 22. Steve King commented that with the filing of December 23rd, the holidays upon us and the fact that some members did not receive mailing until January 2nd or not at all did limit the amount of time provided for comments. Dennis Miller also reminded committee members that once the extension from the 22nd occurs then the Committee has an additional 6 months to decide on changes if warranted. Comments could be reviewed and decisions made by the Governor's Committee. The final rules would not be filed with the Secretary of State until the comment period is completed and the committee approves the final rules. Jan Smith said this would give the WVARF membership a chance to meet as a group to come to a general consensus. The current situation did not allow time for this.

Scott Padon stated Procedural Rules could defuse auditor findings. For example, if a gap is discovered before the audit and it is addressed, this would make for a much better Legislative Audit. In the Purchasing Division they are very proactive when looking at performance audits. Legislative audit is not only a financial audit but also a performance audit.

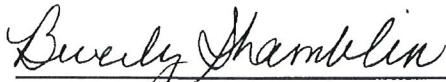
Brenda King reminded Committee members that when writing the Procedural Rules, Donna Lipscomb worked with an attorney and looked at the code. The Procedural Rule was publicly posted for comment. It was posted in the State Register through the Secretary of States office. Jan Smith contended that not all members were aware of this especially in light of the fact that this all occurred during the holidays.

The WVARF Executive Committee would like to state that they are not saying Donna did not do things correctly. The holidays have caused problems with members being given the opportunity to make comments.

A motion to extend the comment period to 30-days for the Procedural Rules was made by Dennis Miller. Motion was seconded by Everett Sullivan. The motion was approved by a 4 to 1 vote. Brenda King voted no on behalf of

the Division. WVARF members need to submit comments to all State Use committee members for their review. The State Use Committee has agreed to meet with WVARF members however this meeting will be independent from the comments regarding the procedural rules.

Respectfully submitted by:

A handwritten signature in cursive script, reading "Beverly Shamblin", is written over a horizontal line.

Beverly Shamblin
Secretary I
WVDRS